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FACSIMILE TRANSMISSION

DATE: JULY 25, 2005

TO: Hard Copy to Follow via Mail: NO

NAME	FAX NO.	PHONE NO.
USPTO Examiner Francis Palo		
Group No. 3644	703-872-9306	571-272-6907

FROM: Jacquelyn Campbell - 2279

RE: U.S. Patent Application No. 09/317303
 Unitary Configured Bird Repellent Apparatus
 Bruce Donoho

CLIENT/MATTER NO.: 100745.0021US1	NUMBER OF PAGES, INCLUDING COVER: 8
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MESSAGE:

Please see attached Response to Office Action. Thanks.
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2279/100745.0021US1.
 a00/00/00

Practitioner's Docket No. 100745.0021US1

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Bruce Donoho

Application No.: 09/317,303

Filed: 05/24/1999

For: Unitary Configured Bird Repellent Apparatus

Group No.: 3644

Examiner: Palo, Francis T.

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
 Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being

MAILING

or deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450

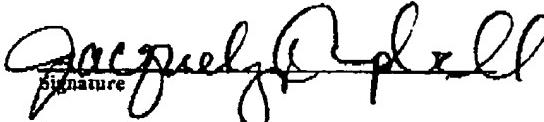
37 C.F.R. § 1.8(a)
 or sufficient postage as first class mail

37 C.F.R. § 1.10*
 as "Express Mail Post Office to Addressee"
 Mailing Label No. _____ (mandatory)

TRANSMISSION

X facsimile transmitted to the Patent and Trademark Office, (703) 872 - 9306.

Date 7/25/05


 Signature
 Jacqueline Campbell

(Type or print name of person certifying)

* Only the date of filing ('1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under '1.8 continues to be taken into account in determining timeliness. See '1703(f). Consider "Express Mail Post Office to Addressee" ('1.10) or facsimile transmission ('1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	24	-	25 = 0 x \$ 25.00	=	\$	0.00
INDEP.	2	-	3 = 0 x \$ 100.00	=	\$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	=	\$ 0.00
				TOTAL		
				ADDIT. FEE	\$	0.00

No additional fee for claims is required.

FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 502191.

If an additional fee for claims is required, charge Account No. 502191.

Date: July 25, 2005

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Amendment Transmittal--page 2 of 2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450**

Appl No.: **09/317303**
Applicant: **Bruce Donoho**
Filing Date: **5/24/99**
Art Unit: **3644**
Examiner: **F. Palo**

Attorney Docket No.: **100745.0021US1**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

This paper responds to the Office Action dated April 26, 2005. Please enter the amendments shown herein.

The applicant wishes to thank the Examiner for his helpful suggestion in the Office Action.

- Claim amendments begin on page 2;
- Remarks begin on page 5.